

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Norfolk Division

BID FOR POSITION, LLC,

Plaintiff/Counterclaim Defendant,

v.

Civil Action No. 2:07cv582 (JBF-TEM)

AOL LLC,  
GOOGLE INC.,  
MICROSOFT CORP.,  
and MIVA, INC.,

Defendants/Counterclaim Plaintiffs.

**DECLARATION OF CLAYTON BAVOR**

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Norfolk Division

BID FOR POSITION, LLC,

Plaintiff/Counterclaim Defendant,

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Civil Action No. 2:07cv582 (JBF-TEM)

AOL LLC,  
GOOGLE INC.,  
MICROSOFT CORP.,  
and MIVA, INC.,

Defendants/Counterclaim Plaintiffs.

**DECLARATION OF CLAYTON BAVOR  
IS FILED UNDER SEAL PURSUANT TO GOOGLE INC.'S MOTION  
TO FILE UNDER SEAL THE DECLARATION OF CLAYTON  
BAVOR AND PORTIONS OF THE BRIEF IN SUPPORT OF  
DEFENDANT GOOGLE INC.'S MOTION FOR AN ORDER  
SUSTAINING GOOGLE'S OBJECTION TO PLAINTIFF'S  
DESIGNATION OF DANA TODD AS A TECHNICAL ADVISOR  
UNDER THE PROTECTIVE ORDER**

**THIS ENVELOPE CONTAINS DOCUMENTS THAT ARE SUBJECT TO AN AGREED  
PROTECTIVE ORDER ENTERED BY THE COURT IN THIS ACTION. THIS  
ENVELOPE SHALL NEITHER BE OPENED NOR THE CONTENTS REVEALED  
EXCEPT BY ORDER OF THE COURT.**

Dated: May 15, 2008

Respectfully submitted,

/s/

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## **CERTIFICATE OF SERVICE**

I hereby certify that on May 15, 2008, I will electronically file the foregoing with the Clerk of Court using the CM/ECF system, which will send a notification of such filing (NEF) to the following:

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